

ALABAMA LP-GAS BOARD REGULATIONS



October 2011 Edition

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**RULES AND REGULATIONS
OF
ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

CHAPTER 530-X-1

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530-X-1-.01 Organization

530-X-1-.02 Administration

530-X-1-.03 Declaratory Rulings

530-X-1-.04 Petition for Adoption of Rules

530-X-1-.01 ORGANIZATION. By (Acts 1965, No. 220, p. 305, §3; Acts 1966, Ex Sess, No. 231 p. 354; Acts 1979, No. 79-435, p. 690; Acts 1984, No. 84-293, p. 555, §1; Acts 1989, No. 89-535, p. 1097 §1; Acts 1993, No. 93-632, p. 1079, §1; Acts 1994, No. 94-211, §1.) The Alabama Liquefied Petroleum Gas Board was established to carry out the provisions of the Code of Alabama, 1975 Sections 9-17-100 through 9-17-110, Sections 9-17-120 through 9-17-125 and Sections 40-17-160 through 40-17-166.

Author:

Statutory Authority: Acts 1965, No. 220, p. 305, §3; Acts 1966, Ex. Sess., No. 231 p. 354; Acts 1979, No. 79-435, p. 690; Acts 1984, No. 84-293, p. 555, §1; Acts 1989, No. 89-535, p. 1097, §1; Acts 1993, No. 93-632, p. 1079, §1; Acts 1994, No. 94-211, §1.

History: Filed September 13, 1982

530-X-1-.02 ADMINISTRATION. The Alabama Liquefied Petroleum Gas Board Laws are administered by the Administrator who is appointed by the Liquefied Petroleum Gas Board.

(a) The Liquefied Petroleum Gas Board is located at 818 South Perry Street, Montgomery, Alabama 36104. Telephone: (334) 242-5649.

Statutory Authority: §9-17-104 Code of Alabama, 1975 as amended. Adopted July 7, 1983.

530-X-1-.03 DECLARATORY RULINGS. The Board may issue declaratory rulings to any person substantially affected by a rule with respect to the validity of the rule, or with respect to the applicability to any person, property, or state of facts of any rule or

statute enforceable by the Board, or with respect to the meaning and scope of any order of the Board. Such petitions shall be as follows:

(Sample Petition for Declaratory Rulings on next page.)

**PETITION FOR A
DECLARATORY RULING**

IN RE: THE PETITION OF _____
(Petitioner's name)

DOCKET NO. _____
(To be filled in by the Board)

FOR A DECLARATORY RULING ON _____

(Rule number, statute, etc. for which an interpretation is sought)

(A) The body petition shall be set out in numbered paragraphs as follows:

1. Petitioner's name:
2. Petitioner's full address:
3. All rules or statutes that may be involved in the petition, if known:
4. Clear and concise statement of the precise factual situation involved:
5. The exact question to which an answer is desired:
6. The reasons for submitting the petition:
7. Full disclosure of the petitioner's interest:
8. Statement as to whether the petitioner's case is presently under consideration by the Board or in any pending proceeding:
9. Subscription and verification by the petitioner before a notary public:

(B) Upon receipt of a petition for a declaratory ruling, the Board shall enter the date of receipt of the petition and the docket number and notify the petitioner of receipt.

Statutory Authority §9-17-105 Code of Alabama, 1975 as amended. Adopted July 7, 1983.

530-X-1-.04 PETITION FOR ADOPTION OF RULES. Any person who wishes to propose that the Liquefied Petroleum Gas Board adopt, amend, or repeal any rule shall submit said proposal in the following form:

PETITION FOR ADOPTION OF RULE

1. Petitioner

Name: _____

Address: _____

Phone: _____

2. Character of Change

I propose that the Liquefied Petroleum Gas Board:

- A. () Adopt the following new rule.
- B. () Amend Rule _____ as follows.
- C. () Repeal Rule _____ in total.

3. Text of Proposed Rule

- If you checked box “A” above, type the rule you propose.
- If you checked box “B” above, type the currently effective rule, adding any proposed language. Proposed new language should be underlined and proposed deletions should be stricken through.
- If you checked box “C” above, skip this and go to Part 4.

4. Purpose of Change

Briefly describe what the effect of this change will be, and why you believe the change should be made. Show the financial impact this change will have upon the public, how the impact figures were determined and the advantages and/or disadvantages of the proposed change and what effects the proposed change would have on existing safety regulations.

5. Signature

Date

Petitioner

The Board shall consider the petition, and shall within ninety (90) days after review of the petition, either deny the petition in writing on the merits, stating its reasons for the denial, or initiate rule-making proceedings in accordance with §41-22-5, Code of Alabama, 1975.

Statutory Authority §9-17-105 Code of Alabama, 1975 as amended. Adopted July 7, 1983.

**RULES AND REGULATIONS
OF
ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

CHAPTER 530-X-2

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530-X-2-.01 PURPOSE. The Board shall have the power to make and enforce rules and regulations governing the design, construction, location, installation, and operation of containers, tanks, systems, and equipment for storing, utilizing, handling, and transporting liquefied petroleum gases and rules to secure the substantial accuracy of all meters, safety devices, and regulators generally used in connection with such gases. Said rules and regulations shall be such as are reasonably necessary for the protection of the health and safety of the public and persons using such gases, and shall be adopted only after a public hearing thereon. All rules and regulations shall be posted on the Board's website and available for download by the public. The Board will provide upon request a printed copy of the rules and regulations to any entity lacking the resources to access the Board's website. Any time that the rules and regulations are altered in any way, the revisions shall be posted on the website within 30 days and all liquefied petroleum gas permit holders shall be notified in writing to review the regulations online for said revisions. The board may adopt as its own rules the published regulations of the National Fire Protection Association or any other nationally recognized agency covering the same subject by reference thereto. All rules and regulations so adopted by the Board shall become effective 30 days after adoption thereof. Acts 1965, No. 220, p. 305, §5.

Authors: Leonard Pakruda, Mark Nelson

Statutory Authority: Code of Ala. 1975, §9-17-105 as amended.

History: Filed September 13, 1982. **Amended:** Filed May 12, 2010; Effective June 16, 2010.

530-X-2-.02 DEFINITIONS. As used in these regulations, the following words and phrases shall have the following meanings, respectively, unless the context clearly indicates otherwise.

(1) Authority Having Jurisdiction. Alabama Liquefied Petroleum Gas Board.

(2) Board. The Alabama Liquefied Petroleum Gas Board.

(3) Branch. A local unit of an LP-gas business that is one or more of the following:

- a division or subdivision or a person doing business under a name other than the Class A permit holder's name;
- a place where the day-to-day retail operations of an LP-gas business are conducted and at which at least three of the following activities occur or conditions exist:
 - a) Sales of appliances,
 - b) orders are taken for LP-gas repair and service;
 - c) orders are taken to refill LP-gas systems either by phone or in person;
 - d) employees are present during a normal workday;
 - e) or a place that requires a city or county license to conduct business.

(4) LP. Liquefied petroleum gas.

(5) LPG. Liquefied petroleum gas.

(6) LP-GAS. Liquefied petroleum gas.

(7) Liquefied petroleum gas. Any material having vapor pressure not exceeding that allowed for commercial propane composed predominantly of the following hydrocarbons, either by themselves or as mixtures: propane, propylene, butanes (normal butane or isobutane), and butylenes.

(8) Liquefied petroleum gas recovery fund. A cash surety fund designated to ensure compliance of LP-Gas laws, rules, and regulations adopted by the LP Gas Board.

(9) Liquefied petroleum gas research and education fund. A fund created to finance activities relating to research, development, and the implementation of marketing, advertising, and informational programs relating to LP-gas directed toward the consumer as well as for the education of industrial members and employees.

(10) Liquefied petroleum gas system. Any assembly consisting of one or more containers with a means for conveying LP-gas from the container(s) to dispensing or consuming devices (either continuously or intermittently) and which incorporates components intended to achieve control of quality, flow, pressure, or state (either liquid or vapor).

(11) Person. Every natural person, firm, copartnership, association, or corporation.

(12) Red tag. A red card or device containing an official printed notice of the condemnation of a liquefied petroleum gas system or any connected or disconnected LP-gas component, LP-gas storage container, LP-gas container appurtenance, or LP-gas motor vehicle, transport, or delivery unit placed as a result of a violation of the liquefied petroleum gas safety code provisions and regulations, or as a result of a mechanical defect found on the LP-gas motor vehicle, transport, or delivery unit that could cause a danger to the public if allowed to continue to operate. When attached to a system or to any connected or disconnected LP-gas component, LP-gas storage container, LP-gas appurtenance, motor vehicle, transport, or delivery unit a red tag is official notice of condemnation and of the prohibition of further use, so long as the red tag remains affixed by law.

Author: Leonard Pakruda

Statute Authority: Code of Ala. 1975, §9-17-100; 9-17-102; 9-17-103 through 106, 9-17-109.

History: September 13, 1982. **Amended:** Filed April 14, 1995, effective May 15, 1995.

530-X-2-.03 METERING DEVICE CALIBRATION REQUIREMENTS. To secure the use of and substantial accuracy of all liquid dispensing liquefied petroleum gas meters through which liquefied petroleum gas is sold in the State of Alabama.

(a) Before any person, firm, or corporation shall engage or continue in the business of selling or dispensing liquefied petroleum gas by tank truck through liquid measurement, he shall be required to furnish a suitable type meter for the dispensing of liquefied petroleum gas and also furnish this Board (on forms provided by this Board) certification of the substantial accuracy of said meters as used in the dispensing system. A plus or minus (+ or -) tolerance of two percent (2%) shall be considered to constitute substantial accuracy. This certification is to be provided each twelve (12) months hereafter. This Board will notify any person, firm, or corporation sixty (60) days in advance of due date of next certifying report. The person, firm, or corporation will be given the name or names of agencies approved by this Board to certify substantial accuracy of said meters and its system.

(1) LP-gas meters installed at stationary filling stations that are used for the purpose of metering LP-gas for sales to the consumer shall be calibrated for

accuracy of a plus or minus (+ or -) tolerance of two percent (2%) at intervals of each two hundred (200,000) gallons or every five (5) years whichever comes first.

(b) The certifying agent shall seal the meter with his seal.

(1) If for any reason a meter seal is broken, the dealer-owner shall notify his meter certifying agent and then notify the LP-Gas Board as to when the meter certifying agent will be able to reseal the meter. The dealer-owner shall make these notifications as soon as possible but not exceed five (5) work days after the broken meter seal has been found. The certifying agent shall recalibrate and reseal the meter if recalibration is required or reseal the meter if a calibration is not required. When corrective actions are completed, the meter prover shall notify the LP-Gas Board in writing of the action taken to bring the meter into compliance with State Regulations. The affected meter equipment should be brought into compliance within 30 days after the Board has been notified of the broken seal. If the meter has not been resealed within thirty (30) days after the Board received its first notification of the broken meter seal, the Board Administrator shall determine if proper action has been taken to reseal the meter. If proper action has been taken the Board Administrator may then authorize a limited extension of time to reseal the meter.

(c) The expense or expenses of said services shall be borne by persons, firms or corporations affected by this rule.

Author:

Adopted: January 16, 1968, as Alabama Liquefied Petroleum Gas Board Regulation No. 1.

History: Filed September 13, 1982.

Amended: April 4, 1985.

530-X-2-.04 PROCEDURES FOR LIQUEFIED PETROLEUM GAS FILLING STATIONS. No cylinder installation shall be made unless Department of Transportation cylinders are used. DOT cylinders with a water capacity of less than 250 pounds shall be charged only at bulk storage or cylinder filling plants and not from mobile units such as delivery trucks, except those vehicles specially designed and equipped for cylinder filling, and except those cylinders installed as part of a system using LP-Gas as a motor fuel or as a fuel for farm equipment such as flame cultivators. DOT cylinders of 250 water pounds capacity or larger may be charged at the installation from mobile units provided they are equipped with fixed liquid level gauging devices, quick filling valves, and vapor return valves, all of which are of an approved design, in addition to other required or acceptable valves and fittings.

- (a) All DOT cylinders of less than 250 water pound capacity shall be charged by weight only except those cylinders into which is dispensed fuel for motor fuel purposes.
- (b) All retail off-premises cylinder filling stations shall be plainly marked as follows:
- Name of LP-Gas Station Owner
 - Board License or Permit Number
 - Emergency Telephone Number
- (c) Operators of cylinder filling stations shall be agents of LP-gas dealers and shall operate under their Alabama LP-Gas Board permit and insurance (except Class “F” Permit holders).
- (d) LP-Gas dealers holding permits in the state shall notify the Alabama Liquefied Petroleum Gas Board of the location of all cylinder filling installations they serve and/or operate and shall maintain such records in a current status.
- (e) It shall be the responsibility of Class “F” Permit holders or any person who acts as an agent of a Class “A” Permit holder to ensure that only trained, qualified personnel fill LP-gas cylinders or containers.

Authors: Leonard Pakruda, Mark Nelson

Statutory Authority: Code of Ala. 1975, §9-17-105, as amended.

History: Filed September 13, 1982. **Amended:** Filed May 12, 2010; Effective June 16, 2010.

530-X-2-.05 PROCEDURES FOR REPORTING INCIDENT. That all persons including all Liquefied Petroleum Permit Holders operating in the State of Alabama under a permit issued by the Liquefied Petroleum Gas Board are directed and required to report to the Board incidents involving LP-gas, cargo vehicles, and any complaints related to LP-Gas (i.e., defective installations, fires, or explosions that occur on a premises where LP-Gas Systems are installed). The Permit Holder or his authorized representative charged with the responsibility of giving such notice shall include in that notice the following:

- Customer’s name
- Address and phone number
- Date of incident as well as type and condition of property involved
- Dealer’s name and address
- A brief description of what occurred
- When system was last serviced
- Description of service performed on system.

(a) Such notice should be given to this Board in writing within five (5) days of the date of the incident or within five (5) days of the discovery thereof with the exception of an explosion or vehicle accident involving LP-Gas cargo vehicles which shall be reported to the Board as soon as possible.

(b) That each Permit Holder shall issue instructions of his authorized representative charged with the duty of giving such notice, to the end that he shall comply with the provisions of this order. Each such Permit Holder shall furnish to the Board within 15 days of the date of adoption of this regulation, the names of its representatives charged with the duty of giving such notice.

(c) Upon receipt of such notice or upon notice in writing of any citizens, the Administrator of the Board shall proceed to make a determination as to whether or not LP-Gas was or could have been a contributing factor to the incident. If so, the Administrator shall authorize an investigation by his/her staff, in order to determine if LP Gas or LP Gas systems caused the incident.

Authors: Mark Nelson, Leonard Pakruda

Statutory Authority: Code of Ala. 1975, §9-17-105, as amended.

History: September 13, 1982. **Amended:** Filed May 12, 2010; Effective June 16, 2010.

530-X-2-.06 STORAGE AND HANDLING OF LIQUEFIED PETROLEUM GAS CODES. That the publication designated as NFPA No. 58, published by National Fire Protection Association, be adopted as a part of the rules and regulations of the Alabama Liquefied Petroleum Gas Board; provided, however, that existing rules of the Board that conflict with NFPA No. 58 shall not be repealed by the adoption of this rule.

(a) That any supplementary rules and regulations to said NFPA Pamphlet No. 58 adopted by the National Fire Protection Association at some future date shall also be adopted by this Board .

Adopted January 16, 1968 as Alabama Liquefied Petroleum Gas Board Regulation No. 4.

Author:

Statutory Authority: Code of Ala. 1975, §9-17-105.

History: Filed September 13, 1982.

530-X-2-.07 LIQUEFIED PETROLEUM GAS MOTOR FUEL CARBURETION EQUIPMENT. That all component appurtenances either used or sold to supply Liquefied Petroleum gas as a fuel to any internal combustion engine from the motor fuel container withdrawal valve to the engine intake manifold which is to include the automatic shutoff valve, the supply piping, regulation, vaporization, gas-air mixing, and

carburetion equipment shall be approved by means of labeling or listing by a recognized laboratory or by a means that is acceptable to the authority having jurisdiction. The standard carburetor for an internal combustion engine may be used as an integral part of the Liquefied Petroleum gas conversion system.

(a) A proper permit as prescribed by Act No. 220, Regular Session 1965, as amended by Act No. 435, Regular Session 1979, shall be secured before any persons, firms, or corporations shall engage in the business of installing, servicing, repairing or adjusting any Liquefied Petroleum gas carburetion equipment that is used to supply fuel to any internal combustion engine.

(b) A permit shall not be required for the manufacturers of internal combustion engines who install approved Liquefied Petroleum gas carburetion equipment and/or components and appurtenances as part of the internal combustion engine manufacturing process, provided that no Liquefied Petroleum gas fuel supply shall be connected.

(c) A permit shall not be required for any person, firm, or corporation who is in the business of repairing and/or overhauling internal combustion engines equipped with Liquefied Petroleum gas carburetion components, provided that during the repair and/or overhaul process no Liquefied Petroleum gas fuel line or fuel system shall be disconnected. This shall not relieve any person, firm, or corporation from the responsibility of performing the proper leak checks to the Liquefied Petroleum gas carburetion components that might have been disturbed during the repair and/or overhaul process.

Adopted July 10, 1980 as Alabama Liquefied Petroleum Gas Board Regulation No. 5.

Authors: Mark Nelson, Leonard Pakruda

Statutory Authority: Code of Ala. 1975, §9-17-105, as amended.

History: Filed September 13, 1982. **Amended:** Filed May 12, 2010; effective June 16, 2010.

530-X-2-.08 LIQUEFIED PETROLEUM GAS PIPING AND APPLIANCE

CODES. That the publication designated as National Fire Protection Association Pamphlet No. 54, the standards for the installation of piping and appliances in buildings, be adopted as a part of the rules and regulations of the Alabama Liquefied Petroleum Gas Board and that the same be and is made applicable to all dealers holding permits issued by the Board; provided, however, that existing rules of the Board that conflict with NFPA No. 54 shall not be repealed by the adoption of this rule.

(a) That any supplementary rules and regulations to said NFPA Pamphlet No. 54 adopted by the National Fire Protection Association at some future date shall also be adopted by this Board.

Adopted January 16, 1968 as Alabama Liquefied Petroleum Gas Board Regulation No. 6.

Author:

Statutory Authority: Code of Ala. 1975, §9-17-105.

History: Filed September 13, 1982.

530-X-2-.09 INSPECTION OF UNDERGROUND AND 200 TYPE LP-GAS STORAGE CONTAINERS. That no new LP-gas container with a working pressure of less than that required for a 200 type container shall be installed in the State of Alabama. No used underground container shall be installed or reinstalled in the State of Alabama except when the container has been duly inspected and approved by the Alabama Liquefied Petroleum Gas Board.

Adopted January 16, 1968 as Alabama Liquefied Petroleum Gas Board Regulation No. 7.

Author:

Statutory Authority: Code of Ala. 1975, §9-17-105.

History: Filed September 13, 1982.

530-X-2-.10 TIME LIMITS FOR SUBMITTING LP-GAS PERMIT APPLICATIONS. Following the application of a person, firm, or corporation to engage in the retail LP-gas business in the State of Alabama, there shall be a lapse of time of at least thirty (30) days between date of receipt by the Board Administrator of the application complete in all respects and the date of consideration of the application by the Board in session. This time lapse will be used by the Board Administrator to ascertain the completeness of the application and the accuracy of the information submitted on the application.

- (a) When the application has been approved by the Board, the applicant will be given a maximum of 180 days to comply with all regulations for the issuance of the permit; otherwise, the approval of the application will become null and void.
- (b) This rule shall not apply to a person, firm, or corporation which seeks to engage in the retail LP-gas business by acquiring the properties of an existing permit holder and continuing the business or operations of the acquired properties, who already has a permit from this Board to engage in such business, and the application for a permit is for the purpose of the continuing the business or operations of the acquired properties.

Adopted January 16, 1968 as Alabama Liquefied Petroleum Gas Board Regulation No. 8.

Author:

Statutory Authority: Code of Ala. 1975, §9-17-105.

History: Filed September 13, 1982.

530-X-2-.11 CODE FAMILIARIZATION REVIEW.

(a) Each permit holder shall request a copy of a Code Familiarization Review for each new employee to perform any task authorized under his/her permit. The Code Familiarization Review shall be requested within 30 days of employment and shall be administered within 90 days of employment or before an unsupervised work task is performed by the new employee. The examinee will certify that he/she has reviewed the Code Familiarization material and personally marked all answers on the Code Familiarization Review answer sheet. The permit holder or supervisor proctoring the Code Familiarization Review shall certify that the examinee marked the Code Familiarization answer sheet under his/her supervision. When required, a practical performance evaluation shall be administered on each new employee by a Board inspector. The completed Code Familiarization Review booklet shall be returned to the LP-Gas Board for evaluation and filing.

(b) The passing score of the Code Familiarization Review and practical performance evaluation will be determined by the Board in its discretion.

(c) If any of this regulation is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Author:

Statutory Authority: Code of Ala. 1975, §9-17-105.

History: Filed September 13, 1982. **Amended:** Filed July 10, 1997; effective August 14, 1997.

530-X-2-.12 CHECKLIST FOR SUBMITTING CLASS-A PERMIT APPLICATIONS

(1) No applicant(s) should purchase any equipment or begin construction on any facilities until his application has been approved by the Alabama LP-Gas Board and he has been so advised in writing by the Administrator.

(a) All application forms shall be obtained from the Administrator by the prospective applicant(s) or his designated representative in person at the Board office in Montgomery.

(b) All applications shall be filled out completely, including the required attachments, and shall not be considered by the Board until such time as the Administrator deems that the application and attachments are completed.

(c) Applications shall not be considered until recorded as received in the Board office in Montgomery at least THIRTY (30) days prior to the Board's regular meeting. As THIRTY (30) days is the minimum time required to investigate the application and attachments, no waiver of the time limits shall be considered. This requirement does not apply to purchases of LP-Gas business where the business was previously approved and has a current permit by the LP-Gas Board.

(d) When incorporated, submit a correct copy of the company's Articles of Incorporation.

(e) Submit evidence of adequate supply of LP-Gas in the form of a contract or a letter of intent issued by a supplier who is authorized to do business in this state signed by an officer or person authorized to make such contracts or letters to be effective for a period of TWELVE (12) months from the date of issuance of the permit.

(f) Submit audited financial statement.

(g) Submit payment of initial permit application fee(s) in the amount of THREE (\$300) HUNDRED DOLLARS.

(h) Submit within FIFTEEN (15) DAYS of the application hearing date all new driver's motor vehicle record (MVR) for all company personnel who are required to have a commercial driver's license. The new driver's MVR must be dated no more than THIRTY (30) DAYS before the hearing date and shall be obtained from the drivers license agency in the state in which the commercial driver's license is issued.

(i) New applicant(s), and all other persons required to appear before the Board shall be given at least SEVEN (7) DAYS notice in writing by the Administrator.

(2) All applicant(s) for LP-Gas Dealer Class A Permits shall comply with the following:

(a) New applicant(s) shall appear before the Board at such time as their application is considered. Persons other than the person(s) whose signature appears on the application may be required to appear before the Board in consideration of the application.

(b) Any person may testify at Board hearings on pending applications. Persons desiring to testify should notify the Board Administrator in writing at least TWENTY-FOUR (24) HOURS prior to the Board meeting in which the application is to be heard.

(c) New applicant(s), as well as other persons required to appear before the Board, shall be expected to explain and support their application and experience

in any manner which members of the Board deem relevant to carry out their responsibility for the health and safety of the public.

(d) New applicant(s) shall submit a personal audited financial statement completed in accordance with generally accepted accounting practices or the purchasing company may submit the company's last published certified annual report or an audited financial statement.

(1) Audited financial statements shall be prepared by and attested to by a certified or registered public accountant and shall be dated within FORTY-FIVE (45) DAYS of the filing of the application for a new business or in the case of a purchase of an existing LP-Gas business.

(2) The new applicant(s) shall provide evidence of financial responsibility to the Board in the amount of cash or cash equivalent of at least SEVEN HUNDRED FIFTY THOUSAND (\$750,000) DOLLARS. When the purchase of an existing business occurs, the board will determine if equity in the assets of the company to be purchased can be used as all or part of meeting the cash or the cash equivalent required by this paragraph.

(3) The evidence of financial responsibility shall be submitted in the form of an irrevocable letter of credit from a bonafide lending institution, cash, or cash equivalent.

(e) Application, attachments, and Board hearings shall attempt to resolve the question of the applicant's qualifications to enter the retail LP-gas business. Factors to be considered are as follows:

(1) The applicant's experience in and knowledge of the LP-gas industry.

(2) The applicant's knowledge, technical ability, and adherence to safety standards adopted by the LP-Gas Board.

(3) The applicant's proposed facilities and equipment.

(4) Other factors the Board may deem important and relevant in qualifying persons as LP-gas dealers.

(f) All decisions of the Board are rendered in an open meeting. The Administrator will then notify the applicant(s) of the Board's decision by certified mail, return receipt requested, within a period of SEVEN (7) DAYS.

(3) Following approval of application the applicant shall comply with the following:

(a) A new applicant(s) shall have a period of ONE HUNDRED EIGHTY (180) days in which to comply with the requirements of the application for a permit and to be actively engaged in the retail LP-gas business. Otherwise, the approval of

the application will become null and void and the applicant(s) will forfeit the THREE HUNDRED (\$300) DOLLARS initial permit fee.

(b) Submit plans and install the minimum storage of THIRTY THOUSAND (30,000) water gallon capacity (WGC) and secure the Administrator's approval of the bulk storage facilities and other operational equipment.

(c) Execute and file with the Board a surety in cash in the amount of ONE HUNDRED (\$100) DOLLARS and submit evidence of insurance on the forms provided by the Board.

(d) New applicant(s) must have a designated serviceman who will be required to pass an initial oral or written examination to the Board's satisfaction. New applicant(s) also must have a designated fuel truck driver who will be required to pass an oral or written operator's examination to the Board's satisfaction. These examinations will be given under the direction of the Administrator at a designated time and place in the presence of a Board inspector.

(e) The Administrator shall not issue any permit until he is satisfied that all requirements in the location and in type of facilities, equipment, bond, and insurance coverage and personnel qualifications have been fully met.

(f) The Administrator shall furnish a copy of this checklist to each applicant(s).

(4) Class A permit holder(s) purchasing LP-Gas business(es) in Alabama:

(a) Owners of an LP-Gas business that have a current Class A permit shall meet the applicable requirements listed in sections 1, 2, and 3 of this regulation.

(1) The new owner shall notify the Administrator of the Liquefied Petroleum Gas Board within TEN (10) WORK DAYS of the acquisition of the business.

(2) If a new permit is required, the new owner will be given SIXTY (60) DAYS from the date of purchase of the business to meet the applicable requirements. A properly completed application for a Class A permit, insurance certificate, surety in cash in the amount of ONE HUNDRED (\$100) DOLLARS, applicable permit fees and a letter of intent from an authorized supplier shall be filed and remitted to the board administrator within TEN (10) WORK DAYS of the purchase date or before operation of the LP-Gas business.

(3) When the new permit is required and all of the requirements have been met, the Administrator may issue a temporary authorization to operate the business. The board will consider the permit at its next regular

board meeting. Failure of the new owner to complete all of the required items to obtain a new permit within the SIXTY (60) DAY period may cause the new owner to cease and desist all operations of the business.

(5) Non-Permit holder(s) purchasing LP-Gas business(s) in Alabama:

Non-permit holders shall comply with Section 1, 2, and 3 of this regulation before the non-permit holder(s) begins operation of the business.

(6) Procedures for applicant(s) who have had their applications denied:

(a) Applicant(s) whose application has been denied may resubmit a new application in accordance with procedures outlined in this checklist. The application will be heard as a new application at the next regularly scheduled Board meeting after filing.

(b) In case of an extreme emergency the applicant(s) may submit in writing to the Administrator a request for a special meeting of the Board. Special meetings to reconsider an application shall only be called with the approval of the Board Chairman. If the request is granted, the applicant(s) must bear all expenses of the special meeting in which their application is to be reconsidered and shall make a deposit with the Administrator in the amount of SIX HUNDRED (\$600) DOLLARS by certified check which must be received in the Board office SEVEN (7) DAYS prior to the meeting date. If the Administrator determines that there is a balance due for the meeting expenses the balance due shall be payable prior to the meeting being called to order by the chairman. If there is an overpayment of meeting expenses, the Administrator will initiate a refund in accordance with State procedures.

If any part of this regulation is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

A COPY OF THIS CHECK LIST WILL BE FURNISHED TO THE APPLICANT WHEN THE APPLICATION IS PICKED UP.

Author: Leonard Pakruda

Author: Alabama LPGB Rules & Regulation Committee 2011

Statutory Authority: Code of Alabama, 1975 §9-17-105.

History: Filed September 13, 1982. Adopted January 7, 1993.

Amended: Filed February 6, 1997; effective March 13, 1997.

Amended: October 13, 2011

Effective Date: November 18, 2011

(a) Class “A” and “B” Permit

The undersigned applicant applies for an LP-gas dealer's Class A and B permit under the provision of Section 9-17-105, Code of Alabama, 1975, and all rules and regulations established by the Board.

SECTION I

Applicant: _____
(Full Name of Company)

Zip Code Number: _____ **Telephone No.** _____

The above designated company is:

☐ **Corporation** ☐ **Partnership**

☐ **Individual**

Name	Position	Address
------	----------	---------

City or Town	Street or Highway	Capacity
--------------	-------------------	----------

SECTION II

1. What is the extent of the territory you propose to serve?

2. Indicate the number of vehicles you will operate on issuance of your permit?

_____ Customer Delivery _____ Service
_____ Transports

3. I will provide an adequate safety training program for my personnel. _____
Initials

4. I will take advantage of educational and training programs which are made
available to me and my personnel _____
Initials

5. I agree that all my delivery and service personnel will have a thorough knowledge
of all rules and regulations administered by the Alabama LP-Gas Board.

Initials

6. What type of LP-gas will you market in your operation?

☐ Butane ☐ Propane ☐ Butane-Propane Mix

7. Indicate services your company proposes to provide:

- ☐ Distribution of LP-gas
- ☐ Installation and Service of LP-gas Systems
- ☐ Installation and Service of LP-gas Central Heating Systems
- ☐ Installation and Service of LP-gas Carburetion
- ☐ Installation and operation of LP-gas Cylinder Filling Systems
- ☐ Merchandising of Appliances
- ☐ Other _____

Explain _____

8. Give a brief description of your experience with LP-Gas.

Attach additional paperwork if necessary.

SECTION III

The following designated attachments are required to accompany this application:

1. Evidence of Financial Responsibility

A financial statement prepared and attested to by a Certified Public or Registered Accountant for the owner and/or corporation, representing a complete and accurate account of the applicant's financial status, to meet minimum equipment expenditures and operating capital.

2. Payment of Initial Permit Fee, Expiration Date September 30.

A certified check in the amount of \$400.00 payable to the Alabama LP-Gas Board as payment of the applicant's current permit fee and surety in cash. This check will be held in deposit at the state treasury until final action is taken on the subject application and shall be returned to the applicant without delay when and if application is disapproved. Class A permit applicants who fail to comply with all requirements of this application within 180 days after initial approval will result in forfeiture of all fees and cancellation of this application. A Class B permit applicant shall have 60 days to comply with all of the requirements or the initial approval shall be cancelled and the application fee shall be forfeited.

3. Evidence of a Contract for Supply of LP-Gas

Evidence of an adequate supply of LP-gas in the form of a letter of intent signed by an officer or person authorized to make contracts, to be replaced with a copy of the bona fide contract after the application is approved and before the permit is issued.

SECTION IV

The undersigned petitioner hereby requests that this application be approved by the Alabama LP-Gas Board and certifies that he has read the above application and is familiar with its contents and that the information set forth by him in the application and attachments is true and correct.

By: _____
(Signature of Applicant)

(Owner or Authorized Representative)

The State of Alabama

Before me, the undersigned authority,
on this day personally appeared

County of _____

known to me to be such person, who after having been by me first sworn, deposes and says on oath that he is the same person who subscribed the name of the above stated applicant to the foregoing instrument, and that he signed the same as the deed and act of said applicant and in the capacity therein set forth, and that he has carefully read the foregoing statements and representations made in said instrument and attachments, and that the same are true in substance and in fact.

Subscribed and sworn to before me this _____ day of _____, 20 _____

Notary Public

County

SECTION V

FOR USE ONLY BY THE ADMINISTRATOR OF THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

Date application received by the Administrator: _____

Date application considered by the Board: _____

Action by the Board: ☐ Approved ☐ Disapproved ☐ Other

Explanation of Board action: _____

Date applicant advised of action on application: _____

IF APPLICATION IS APPROVED:

Dates of inspections of applicant's storage facilities and equipment:

_____, _____, _____, _____

Date of completion of written examination: _____

Date of approval of applicant's facilities and equipment: _____

Date of receipt of bond and insurance requirements: _____

Date of issuance of permit: _____ Class _____ Permit Number _____

Sworn and attested to by:

(Administrator, Alabama LP-Gas Board)

_____ day of _____, 20 _____

ALABAMA LP-GAS BOARD
P.O. Box 1742
Montgomery, Alabama 36102-1742

(b) Class "B-1" Permit.

LP-GAS DEALER BRANCH PERMIT APPLICATION

ALABAMA LIQUEFIED PETROLEUM GAS BOARD FOR PERMIT CLASS B-1

The undersigned applicant applies for a branch permit Class B-1 under the provision of Section 9-17-105 of the 1975 Code of Alabama as amended and all rules and regulations established by the Board.

INFORMATION REQUIRED IN THIS FORM MUST BE TYPED:

Date Application Executed: _____

Name of Class "A" Company		Permit Number
Name of Company DBA		
Name of Branch		
Street Address		P.O. Box
City or Town	State	Zip Code + 4
Telephone Number		Contact Person
Location of Storage		
Aggregate Storage Amount		Date of Insurance and Bond Expiration
Name of Insurance Company		Name of Bonding Company
General Liability Policy Number		Vehicle Policy Number
INITIALS	Surety Bond Number _____ is already on file with the board for the Class A permit named in this application and includes coverage as required by State Law for the branch named in this application. See Section 9-17-105 (c)(d) Code of Alabama 1975.	
INITIALS	OR	
INITIALS	Insurance and surety bond coverage is not presently included in the insurance certificate or surety bond filed for the Class A permit named in this application, therefore, a certificate of insurance and/or surety bond is attached hereto.	
INITIALS	I understand I am required to notify the Board of any change in bond or insurance coverage prior to any such change takes effect.	
Print Name		Signature of Owner Authorized Representative

DO NOT WRITE IN THIS SPACE

Date application received by the Administrator: _____ Date application considered by the Board: _____

Action by the Board: ☐ Approved ☐ Disapproved ☐ Other

Explanation of Board action: _____

Date of Completion of Written Examination	Date of Approval of Facilities & Equipment
Date of Receipt of Bond and Insurance	Date of Issuance of Permit
Class B-1 Permit Number	Sworn and Attested To By:
	Day of _____ 20____

Return Completed Application,
Attachments and Permit Fee (\$100.00) to:
Alabama LP-Gas Board P.O. Box 1742 Montgomery, AL 36102-1472
(334) 242-5649

(c) Class “C, C-1 and C-2” Permit.

**APPLICATION FOR CLASS “C, C1 and C2” PERMIT
ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

Application for a Class C, C-1 and C-2 permit is hereby made in accordance with Section 9-17-105, Code of Alabama, 1975, and all rules and regulations established by the Board.

All information on this form must be typed:

SECTION I

Date application executed: _____

Applicant: _____

Full Name

Trade Name

Street Address: _____ **P.O. Box** _____

City or Town: _____ **State:** _____

Zip Code Number: _____ **Telephone No.:** _____

The above designated company is: ☐ **Corporation** ☐ **Partnership**
☐ **Individual Owner-Operator**

OFFICERS, PARTNERS OR OWNERS

Name	Position	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

List names of all employees who will be in the business of selling, installing, servicing, repairing or adjusting liquefied petroleum gas appliances, piping and/or LP-gas systems under the requirements of a Class C Permit.

1. _____	6. _____
2. _____	7. _____
3. _____	8. _____
4. _____	9. _____
5. _____	10. _____

SECTION II

1. What is the extent of the territory you propose to serve?

2. How many service vehicles will you operate? _____
3. I will provide an adequate safety training program for my personnel. _____
Initials
4. I will take advantage of educational and training programs which are made available to me and my personnel. _____
Initials
5. I agree that all my service personnel will have a thorough knowledge of all rules and regulations administered by the Board before they work under my Class C permit. _____
Initials
6. Indicate what service your company proposes to provide:
 - ☐ Installation and service of LP-Gas Systems on the downstream side of the tank regulator only
 - ☐ Installation and service of LP-Gas central heating and air conditioning systems
 - ☐ Repairing or adjusting liquefied petroleum gas appliances
 - ☐ Merchandising of appliances
 - ☐ Other _____

SECTION III

The following designated attachments are required to accompany this application:

- 1. Evidence of Financial Responsibility:** Not required to be filed for Class C, C-1 and C-2 Permits.
- 2. Articles of Incorporation:**
Include one copy of your company or individual articles of incorporation if incorporated.
- 3. Payment of Initial Permit Fee, Expiration Date December 31:**
Remit the permit fee for Class C and C-1 permits in the amount of \$50.00.
Application fees for Class C-2 permit is \$100.00. Remit Cash Surety for Class C, C-1 and C-2 permits in the amount of \$100.00 at the time the original application is submitted.

The check or money order will be held on deposit at the State Treasury until action has been completed by the Board. If the Board fails to initially approve the application, the accompanying fees will be returned. Once the application has been initially acted on by the Board and approved none of the fees shall be returned except the \$100.00 cash security which would be refunded if the application is cancelled or denied. Failure to meet all requirements on the application within (60) sixty days after Board approval will result in cancellation of the application and all fees will be forfeited.
- 4. Return of Completed Application:**
This application must be recorded as received in the Board Office in Montgomery with all required sections completed at least thirty (30) days prior to Board's next regular scheduled meeting for consideration at that meeting.
- 5. Appearing Before Board:**
Applicants may be required to appear before the Board in person in support of their application. If an applicant is required to appear, the Board Administrator will notify the applicant within seven (7) days of the Board's next regular meeting.
- 6. Brief statement of your experience:**
Attach additional paperwork if necessary.

SECTION IV

Following approval of application the applicant must within sixty (60) days after notification comply with the following:

1. Insurance:

File a Certificate of Insurance on the form provided by the Board.

2. Board Examination

The applicant is responsible to ensure that all employees who will be working under his Class "C" permit have taken and satisfactorily completed the required examinations within sixty (60) days after the applicant has been notified by the Board his application has been approved. The applicant further agrees that any new employee will be required to take and pass a written examination within thirty (30) days of employment. These examinations will be prepared and given by the LP-Gas Board at a time and place designated by the Board.

SECTION V

The undersigned petitioner hereby requests that this application be approved by the Alabama LP-Gas Board and certifies that he has read the above application and is familiar with its contents and that the information set forth by him in the application and attachments is true and correct.

By: _____
(Signature of Applicant)

(Owner or Authorized Representative)

The State of Alabama

Before me, the undersigned authority, on this
day personally appeared

County of _____

known to me to be such person, who after having been by me first sworn, deposes and says on oath that he is the same person who subscribed the name of the above stated applicant to the foregoing instrument, and that he signed the same as the deed and act of said applicant and in the capacity therein set forth, and that he has carefully read the foregoing statements and representations made in said instrument and attachments, and that the same are true in substance and in fact.

Subscribed and sworn to before me this _____ day of _____, 20_____

Notary Public

County

SECTION VI

**FOR USE ONLY BY THE ADMINISTRATOR
OF THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

Date application received by the Administrator: _____ **20** ____

Date application considered by the Board: _____ **20** ____

Action by the Board: ☐ **Approved** ☐ **Disapproved** ☐ **Other**

Explanation of Board Action: _____

Date applicant advised of action on application: _____ **20** ____

Date Board examinations satisfactorily completed: _____ **20** ____

Date of Receipt of Bond and Insurance Requirements: _____ **20** ____

Date of Issuance of Permit: _____ **20** ____ **Number** _____

Sworn and attested to by:

(Administrator, Alabama LP-Gas Board)

_____ day of _____, 20 ____

**ALABAMA LP-GAS BOARD
P.O. Box 1742
Montgomery, Alabama 36102-1742**

(d) Class “D” Permit

**APPLICATION FOR CLASS “D” PERMIT
ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

Application for a Class D permit is hereby made in accordance with Section 9-17-105, Code of Alabama, 1975, and all rules and regulations established by the Board.

Information required in this form must be typed.

SECTION I

Date application executed:_____

Applicant: _____

(Full Name of Company)

Street Address P.O. Box

Street Address P.O. Box

City or Town: _____ **State** _____

Zip Code Number: _____ **Telephone No.** _____

The above designated company is: ☐ **Corporation** ☐ **Partnership**

☐ **Individual** ☐ **Unincorporated**

OFFICERS, PARTNERS OR OWNERS

Name

Position

Address

Alabama Contractors License No.: _____

List names of employees who will engage in the business of installing and/or repairing bulk storage plants under the provisions of this permit.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

SECTION II

1. What is the extent of the territory you propose to serve? _____

2. I will provide an adequate safety training program for my personnel. _____
Initials

3. I will take advantage of educational and training programs which are made available to me and my personnel. _____
Initials

4. I agree that all my employees will have a thorough knowledge of all rules and regulations administered by the Alabama LP-Gas Board _____
Initials

5. Indicate services your company proposes to provide:

- ☐ Installation of bulk storage LP-gas systems.
- ☐ Installation of industrial LP cylinder filling stations.
- ☐ Installation of industrial LP motor fuel filling stations.
- ☐ Installation of industrial and/or LP distribution systems.
- ☐ Refurbishing LP bulk storage and/or distribution systems.
- ☐ Other _____

SECTION III

The following designated attachments are required to accompany this application:

1. Evidence of Financial Responsibility

A financial statement prepared by a Certified Public or Registered Accountant for the owner and/or corporation, representing a complete and accurate account of the applicant's financial status, to meet minimum equipment expenditures and operating capital.

2. Articles of Incorporation:

Include one copy of your company or individual articles of incorporation if incorporated.

3. Payment of Initial Permit Fee, Expiration Date December 31:

Remit the permit fee for Class D permits in the amount of \$250.00 and remit surety in cash in the amount of \$100.00 at the time the original application is submitted.

The check or money order will be held in deposit at the State Treasury until action has been completed by the Board. If the Board fails to initially approve this application the accompanying fees will be returned. Once the application has been initially acted on by the Board and approved none of the fees shall be returned except for the cash surety which would be refunded if the application is cancelled or denied.

Failure to meet all requirements on the application within (60) days after Board approval will result in cancellation of the application and all fees will be forfeited.

4. Return of Completed Application:

This application must be recorded as received in the Board Office in Montgomery with all required sections completed at least thirty (30) days prior to Board's next regular scheduled meeting for consideration at that meeting.

5. Appearing before the Board:

Applicants may be required to appear before the Board in person in support of their application. If an applicant is required to appear, the Board Administrator will notify the applicant within seven (7) days of the Board's next regular meeting.

6. Give a brief history of your experience with LP gas installations.

Attach additional paperwork if necessary.

SECTION IV

Following approval of application the applicant must within sixty (60) days after notification comply with the following:

1. Insurance:

File Certificate of Insurance on the form provided by the Board.

2. Board Examination:

The applicant is responsible to ensure that all employees who will be working under his Class “D” permit have taken and satisfactorily completed the required examinations within sixty (60) days after the applicant has been notified by the Board his application has been approved. The applicant further agrees that any new employee will be required to take and pass a written examination within thirty (30) days of employment. These examinations will be prepared and given by the LP-Gas Board at a time and place designated by the Board.

SECTION V

The undersigned petitioner hereby requests that this application be approved by the Alabama LP-Gas Board and certifies that he has read the above application and is familiar with its contents and that the information set forth by him in the application and attachments is true and correct.

By: _____
(Signature of Applicant)

(Owner or Authorized Representative)

The State of Alabama

Before me, the undersigned authority,
on this day personally appeared

County of _____

known to me to be such person, who after having been by me first sworn, deposes and says on oath that he is the same person who subscribed the name of the above stated applicant to the foregoing instrument, and that he signed the same as the deed and act of said applicant and in the capacity therein set forth, and that he has carefully read the foregoing statements and representations made in said instrument and attachments, and that the same are true in substance and in fact.

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

County

SECTION VI

**FOR USE ONLY BY THE ADMINISTRATOR
OF THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

Date application received by the Administrator: _____ **20** _____

Date application considered by the Board: _____ **20** _____

Action by the Board: ☐ **Approved** ☐ **Disapproved** ☐ **Other**

Explanation of Board Action: _____

Date applicant advised of action on application: _____ **20** _____

Date Board examinations satisfactorily completed: _____ **20** _____

Date of receipt of bond and insurance requirements: _____ **20** _____

Date of issuance of permit: _____ **20** _____ **Number** _____

Sworn and attested to by:

(Administrator, Alabama LP-Gas Board)

_____ **day of** _____, **20** _____

**ALABAMA LP-GAS BOARD
P.O. Box 1742
Montgomery, Alabama 36102-1742**

(e) Class “E” Permit Application

**APPLICATION FOR CLASS “E” PERMIT
ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

Application for a Class E permit is hereby made in accordance with Section 9-17-105, Code of Alabama, 1975, and all rules and regulations established by the Board.

Information required in this form must be typed.

SECTION I

Date application executed: _____

Applicant: _____

Full Name

Company’s Name

Street Address _____ **P.O. Box** _____

City or Town: _____ **State** _____

Zip Code Number: _____ **Telephone No.** _____

The above designated company is: ☐ **Corporation** ☐ **Partnership**
☐ **Individual** ☐ **Unincorporated**

OFFICERS, PARTNERS OR OWNERS

Name	Position	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION II

1. What is the extent of the territory you propose to serve? _____

2. I will provide an adequate safety training program for my personnel. _____
Initials
3. I will agree to take advantage of educational and training programs which are
made available to myself and my personnel. _____
Initials
4. I agree that all my service personnel will have a thorough knowledge of all rules
and regulations administered by the Board and they will be thoroughly familiar
with all standards that pertain to LP-gas meter calibration. _____
Initials

SECTION III

The following designated attachments are required to accompany this application:

1. Equipment Standards

Furnish us with this application a calibration report for each of the applicant's meter-provers by the U.S. Bureau of Standards.

2. Evidence of Financial Responsibility

A financial statement prepared by a Certified Public or Registered Accountant for the owner and/or corporation, representing a complete and accurate account of the applicant's financial status, to meet minimum equipment expenditures and operating capital.

3. Articles of Incorporation:

Include one copy of your company or individual articles of incorporation.

4. Payment of Initial Permit Fee, Expiration Date December 31:

Remit the permit application fee for Class E permit in the amount of \$50.00 and remit surety in cash in the amount of \$100.00 at the time the original application is submitted.

The check or money order will be held in deposit at the State Treasury until action has been completed by the Board. If the Board fails to initially approve this application the accompanying fees will be returned. Once the application has been initially acted on by the Board and approved none of the fees shall be returned except for the cash surety which would be refunded if the application is cancelled or denied.

Failure to meet all the requirements on the application within (60) sixty days after Board approval will result in cancellation of the application and all fees will be forfeited.

5. Return of Completed Application:

This application must be recorded as received in the Board Office in Montgomery with all required sections completed at least thirty (30) days prior to Board's next regular scheduled meeting for consideration at that meeting.

6. Appearing Before Board:

Applicants may be required to appear before the Board in person in support of their application. If an applicant is required to appear, the Board Administrator will notify the applicant within seven (7) days of the Board's next regular meeting.

7. Give a brief history of your experience with LP-Gas Meter repair and/or calibration.

Attach additional paperwork if necessary.

SECTION IV

Following approval of application the applicant must within sixty (60) days after notification comply with the following:

1. Insurance:

File Certificate of Insurance on the form provided by the Board.

2. Board Examination:

The applicant is responsible to ensure that all employees who will be working under this Class "E" permit have taken and satisfactorily completed the required examinations within sixty (60) days after the applicant has been notified by the Board his application has been approved. The applicant further agrees that any new employee will be required to take and pass a written examination within thirty (30) days of employment. These examinations will be prepared and given by the LP-Gas Board at a time and place designated by the Board.

SECTION V

The undersigned petitioner hereby requests that this application be approved by the Alabama LP-Gas Board and certifies that he has read the above application and is familiar with its contents and that the information set forth by him in the application and attachments is true and correct.

By: _____
(Signature of Applicant)

(Owner or Authorized Representative)

The State of Alabama

**Before me, the undersigned authority, on this
day personally appeared**

County of _____

known to me to be such person, who after having been by me first sworn, deposes and says on oath that he is the same person who subscribed the name of the above stated applicant to the foregoing instrument, and that he signed the same as the deed and act of said applicant and in the capacity therein set forth, and that he has carefully read the foregoing statements and representations made in said instrument and attachments, and that the same are true in substance and in fact.

Subscribed and sworn to before me this _____ day of _____, 20__

Notary Public

County

SECTION VI

**FOR USE ONLY BY THE ADMINISTRATOR
OF THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

Date application received by the Administrator: _____ **20** _____

Date application considered by the Board: _____ **20** _____

Action by the Board: ☐ **Approved** ☐ **Disapproved** ☐ **Other**

Explanation of Board Action: _____

Date applicant advised of action on application: _____ **20** _____

Date of Receipt of Bond and Insurance Requirements: _____ **20** _____

Date of Issuance of Permit: _____ **20** _____ **Number** _____

Sworn and attested to by:

(Administrator, Alabama LP-Gas Board)

_____ **day of** _____, **20** _____

**ALABAMA LP-GAS BOARD
P.O. Box 1742
Montgomery, Alabama 36102-1742**

**Adopted April 14, 1970 as Alabama Liquefied Petroleum Gas Board Regulation
No. 11**

(f) Class "F" Permit Application

**APPLICATION FOR CLASS "F" PERMIT
ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

Application for a Class F permit is hereby made in accordance with Section 9-17-105, Code of Alabama, 1975.

All information on this form must be typed.

SECTION I

Date application executed: _____
(Full Name of Company)

Street Address: _____ **P.O. Box** _____

City or Town: _____ **State:** _____

Zip Code Number: _____ **Telephone No.:** _____

The above designated company is: ☐ Corporation ☐ Partnership
☐ Individual ☐ Unincorporated

OFFICERS, PARTNERS OR OWNERS

Name	Position	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

I understand according to State Law this permit is only valid to fill cylinders and/or motor fuel containers of 351 pounds or less at the stationary location listed below.

I also understand a separate permit is required for each station. _____
Initials

Street Address: _____ **P.O. Box** _____

City or Town: _____ **Zip Code:** _____

Telephone No.: () _____

List names of employees who will engage in the business of filling cylinders and/or motor fuel containers.

1. _____	5. _____
2. _____	6. _____
3. _____	7. _____
4. _____	8. _____

SECTION II

1. What is the extent of the territory you propose to serve? _____

2. I will provide an adequate safety training program for my personnel. _____
Initials
3. I will agree to take advantage of educational and training programs which are made available to myself and my personnel. _____
Initials
4. I agree that all my employees who will fill LP-gas cylinders and/or motor fuel containers will have a thorough knowledge of how to inspect such cylinders to insure they can be serviced properly. _____
Initials
5. I agree that all my employees will have a thorough knowledge of all rules and regulations administered by the Alabama LP-Gas Board. _____
Initials
6. I understand that State Regulations require all DOT Cylinders of 250 pound water capacity or less to be charged by weight only. _____
Initials

SECTION III

1. Evidence of Financial Responsibility:

A financial statement prepared by a Certified Public or Registered Accountant for the owner and/or corporation, representing a complete and accurate account of the applicant's financial status, to meet minimum equipment expenditures and operating capital.

2. Articles of Incorporation:

Include a copy of your company or individual's articles of incorporation.

3. Payment of Initial Permit Fee, Expiration Date December 31, each year.

Remit the permit application fee for Class "F" permits in the amount of \$100.00 and remit surety in cash in the amount of \$100.00 at the time the original application is submitted.

The check or money order will be held on deposit at the State Treasury until action has been completed by the Board. If the Board fails to initially approve this application the accompanying fees will be returned. Once the application has been initially acted on by the Board and approved, none of the fees shall be returned except for the cash surety which would be refunded if the application is cancelled or denied.

Failure to meet all requirements on the application within (60) sixty days after the Board approval will result in cancellation of the application and all fees will be forfeited.

4. Return of Completed Application:

This application must be recorded as received in the Board Office in Montgomery with all required sections completed at least thirty (30) days prior to Board's next regular scheduled meeting for consideration at that meeting.

5. Appearing Before Board:

Applicants may be required to appear before the Board in person in support of their application. If an applicant is required to appear, the Board Administrator will notify the applicant within seven (7) days of the Board's next regular meeting.

6. Give a brief history of your experience with LP-Gas.

Attach additional paperwork if necessary.

SECTION IV

Following approval of application the applicant must within sixty (60) days after notification comply with the following:

1. Surety in cash, Insurance and Written Examinations:

Execute and file with the Board a surety in cash in the amount of \$100.00 and file evidence of insurance on the provided form as required by Section 9-17-105, Code of Alabama, 1975. Return completed Board Examinations.

SECTION V

The undersigned petitioner hereby requests that this application be approved by the Alabama LP-Gas Board and certifies that he has read the above application and is familiar with its contents and that the information set forth by him in the application and attachments is true and correct.

By: _____
(Signature of Applicant)

(Owner or Authorized Representative)

The State of Alabama

**Before me, the undersigned authority,
on this day personally appeared**

County of _____

known to me to be such person, who after having been by me first sworn, deposes and says on oath that he is the same person who subscribed the name of the above stated applicant to the foregoing instrument, and that he signed the same as the deed and act of said applicant and in the capacity therein set forth, and that he has carefully read the foregoing statements and representations made in said instrument and attachments, and that the same are true in substance and in fact.

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

County

SECTION VI

**FOR USE ONLY BY THE ADMINISTRATOR
OF THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD**

Date application received by the Administrator: _____ 20 _____

Date application considered by the Board: _____ 20 _____

Action by the Board: ☐ **Approved** ☐ **Disapproved** ☐ **Other**

Explanation of Board Action: _____

Date filling facilities approved _____

Date written examinations completed _____

Date applicant advised of action on application: _____ 20 _____

Date of Receipt of Bond and Insurance Requirements: _____ 20 _____

Date of Issuance of Permit: _____ 20 _____ **Number** _____

Temporary Permit: _____ 20 _____

Sworn and attested to by:

(Administrator, Alabama LP-Gas Board)

_____ day of _____, 20 _____

ALABAMA LP-GAS BOARD
P.O. Box 1742
Montgomery, Alabama 36102-1742

Author:

Statutory Authority: §9-17-105, Code of Alabama, 1975, as amended, adopted October 4, 1984.

History: Filed September 13, 1982. **Amended:** Filed October 5, 1984. **Repealed and Replaced:** Filed April 14, 1995; effective May 19, 1995.

530-X-2-.14 LIQUEFIED PETROLEUM MOTOR FUEL FLAT RATE FEES. In lieu of an excise tax on liquefied petroleum gas used to propel motor vehicles over the highways of this state, there is hereby levied an annual flat rate fee on the following vehicles which require a motor vehicle license using liquefied petroleum gas as fuel:

(1) Passenger automobile, pickup trucks under one ton	\$75.00
(2) Flatbed trucks, vans and trucks one ton or over	\$85.00
(3) Bobtail trucks	\$150.00
(4) Tractor/trailer units	\$175.00

(a) Every person owning and/or operating such vehicles shall make application for and obtain an annual decal from the Liquefied Petroleum Gas Board which shall serve as an identification marker that said flat fee has been paid. Each decal issued by the Liquefied Petroleum Gas Board shall not exceed a cost of \$5.00. The decal shall be in such form and of such size as the Liquefied Petroleum Gas Board shall prescribe. Such decal shall be attached or affixed to the vehicle in the place and manner prescribed by the Liquefied Petroleum Gas Board. The first decals, provided for in this act shall be issued October 1, 1980 for a term of six months and thereafter the term of the decals shall begin at April 1 of each year and expire on March 31 of the following year. If any passenger automobile or truck is acquired, LPG system installed, or vehicle put in operation after September 30, the fee shall be one half the flat fees stated in Section 1.

(b) Every person required to make application for and receive a decal under this act shall at the time of making said application remit to the Liquefied Petroleum Gas Board the total amount of the flat fee due, plus the cost of the decal issued. The proceeds of the flat fee shall be deposited by the Liquefied Petroleum Gas Board in the State Treasury to the credit of the Public Road and Bridge Fund. The proceeds of the decal issuance fee shall be deposited in the State Treasury to the credit of the Liquefied Petroleum Gas Board. Any administration costs relating to such decals shall be paid by the Liquefied Petroleum Gas Board from such fees collected. Said costs are hereby appropriated from the Liquefied Petroleum Gas Board Fund.

(c) The Liquefied Petroleum Gas Board is authorized to promulgate any rules and regulations necessary to carry out the provisions of this act.

(d) Any person who fails to obtain a current decal within (30) thirty days of the date said decal is required as provided in this act, shall be liable for a penalty of 20% of the fee required at the date decal is purchased in addition to the fee. Said penalty shall be paid at the same time and in the same manner as the flat fee; and such penalty shall be deposited by the Liquefied Petroleum Gas Board in the State Treasury, to the credit of the Liquefied Petroleum Gas Board Fund.

(e) If an out of state vehicle comes to a propane dealer in the state of Alabama to purchase fuel, the dealer must collect in lieu of any fees levied by this act, an

amount equal to the current Alabama Motor Fuel tax in effect and remit these funds to the Alabama LP-Gas Board before the 20th of the following month after the date of the sale.

(f) Any vehicles owned and operated by the state or any incorporated municipality therein or any vehicle not requiring a license plate or motor vehicle license, including but not limited to, fork lift trucks and agricultural vehicles shall not be subject to the provisions of this act.

(g) All LP-gas motor fuel filling stations shall have a sign displayed that is legible and in plain view of the general public. The sign shall read, "All motor vehicles licensed in Alabama that use LP-gas as a motor fuel are required by law to have displayed, a current LP-gas motor fuel decal purchased through the Alabama LP-Gas Board. The price of the decal covers the Alabama Motor Fuel Tax for the year of issuance. Operation of an LP-gas powered vehicle licensed in Alabama, upon the public roads and highways of Alabama, without the required decal subjects the owner and/or operator to a fine of up to \$1000.00 and/or up to six months in the County Jail."

Adopted October 2, 1980 as Alabama Liquefied Petroleum Gas Board Regulation No. 13.

Author:

Statutory Authority: Code of Ala. 1975, §9-17-105.

History: Filed September 13, 1982.

530-X-2.15 QUALIFICATION OF PERSONS PERFORMING WORK ON LP-GAS SYSTEMS. In the interest of safety and for the protection of life and property, it shall be required of any end user or person who authorizes the maintenance and/or repair, installation, adjustment, and servicing of liquefied petroleum gas appliances, containers, and/or systems in the State of Alabama to insure that any person, firm or corporation that they may employ and/or authorize to make such repair has a current Class A or Class C permit issued by the Alabama Liquefied Petroleum Gas Board to perform maintenance and/or repairs, installation, adjustments, and/or servicing of any liquefied petroleum gas appliances, containers, and/or systems.

It is unlawful for any person, firm, or corporation to repair, install, adjust, and/or service any liquefied petroleum gas appliances, components, containers, and/or systems in this state unless such person has first met all of the lawful requirements and has first obtained a valid permit issued by the Alabama Liquefied Petroleum Gas Board.

Any person, firm or corporation violating any provision of this regulation upon conviction, shall be subject to penalties as prescribed by Section 9-17-109 A of the Code of Alabama, 1975 as amended;

If any part of this regulation is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Author: Leonard Pakruda

Author: Mark Nelson

Statutory Authority: § 9-17-105 Code of Alabama, 1975 as amended

History: Filed July 12, 1985. Adopted: July 07, 1983

Amended: Filed May 12, 2010; effective June 16, 2010.

530-X-2.16 LP-Gas Containers / Replacement / Removal / Repair

- (a) LP-gas containers that are leased or loaned to customers by Class A or B-1 permit holders must be removed from lessee's property within 90 days after notification from the lessee or duly authorized legal representative that the container is no longer desired. The Administrator of the Alabama LP-Gas Board may issue an exemption in writing beyond the 90-day limit for extenuating circumstances.
- (b) If a Class A or B-1 permit holder disconnects and/or replaces an LP-gas container owned by another Class A or B-1 permit holder, the following conditions apply:
 - (1) The Class A or B-1 permit holder that disconnects or moves the original tank must cap or plug either the service valve or regulator outlet on the tank being disconnected.
 - (2) The Class A or B-1 permit holder that disconnects and moves the original tank must make sure that the disconnected tank is left in an upright position, substantially level, and on a firm masonry foundation.
- (c) No person shall install, repair, pump product into, or extract product from an LP-gas container without written authorization from the owner of the tank or at the direction of an emergency response agency such as the fire or police department. A lessee cannot grant such authority. The burden of determining proper ownership of a container is on the entity desiring to install, repair, pump product into, or extract product from an LP-gas container of questionable ownership.
- (d) LP-gas containers owned by Class A or B-1 permit holders must be clearly marked with "Property of _____ Telephone Number _____" in order for allegations of illegal installation, repair, filling, or extracting of LP-gas product to be investigated by the Alabama Liquefied Petroleum Gas Board.
- (e) Any entity that repairs an LP-gas storage container must be qualified and properly permitted by the Alabama Liquefied Petroleum Gas Board.

Author: Alabama LP-Gas Board Rules & Regulation Committee, 2011

Statutory Authority §9-17-103, Code of Alabama, 1975, as amended

History: Adopted July 28, 2011

Effective Date: September 02, 2011

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